

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**In re:**

**EDWARD C. SCHIAVONI,**

**Case No. 10-75865-SCS**

**Debtor.**

**Chapter 7**

**NOTICE OF MOTION**

Robert V. Roussos, counsel for the Debtor, has filed a Motion to Reopen Estate and a Motion to Waive Filing Fee in this bankruptcy case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant relief sought in the motion, or if you want the court to consider your views on the motion, then on or before fourteen days from the date of service of this Notice, you or your attorney must:

File with the Court, at the address below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). **Unless a written response is filed and served by the date specified, the court may decide that you do not oppose the motion.** If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
600 Granby Street, 4<sup>th</sup> Floor  
Norfolk, VA 23510

You will be notified by the clerk of the hearing date and will be responsible for sending a notice of hearing to the parties listed below.

Robert V. Roussos, Esquire  
580 E. Main Street, Ste. 300  
Norfolk, VA 23510

Tom C. Smith, Jr., Trustee  
P.O. Box 1506  
Virginia Beach, VA 23451

If you or your attorney do not take these steps, the court may decide that you do not oppose the application and may enter an order accordingly.

Dated this 30<sup>th</sup> day of December, 2011.

/s/ Robert V. Roussos  
Robert V. Roussos, #20629  
580 E. Main Street, Ste. 300  
Norfolk, VA 23510  
(757) 622-9005

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**MOTION TO REOPEN ESTATE AND MOTION TO WAIVE FILING FEE**

To The Honorable U.S. Bankruptcy Judges:

**COMES NOW**, Edward C. Schiavoni, debtor herein, and respectfully represents as follows:

1. That on December 14, 2010, he filed in this Honorable Court a petition under Chapter 7 of Title 11 U.S.C.

2. That he received his discharge dated March 28, 2011.

3. That his case was closed on April 1, 2011.

4. That the debtor incorrectly listed his ownership interest in the real property located at 3611 Sea Pines Road, Virginia Beach, VA 23451.

5. That the debtor actually owns a 99 year lease for the condo unit subject to the lender's security interest and owns the lot under the condo free and clear.

6. That the debtor's schedules had in essence merged the ownership interest and indicated that both were subject to the lender's deed of trust.

7. That he respectfully moves this Court to reopen his bankruptcy pursuant to 11 U.S.C. Section 350(b) to file amended Schedules.

Robert V. Roussos, VSB #20629  
Counsel for the Debtor  
580 E. Main Street, Ste. 300  
Norfolk, VA 23510  
(757) 622-9005

8. That reopening the case will permit the Trustee to properly evaluate as to whether the Estate has an interest in the subject real estate.

9. That he has made no application to this or any other Court for the relief sought herein.

10. That he respectfully requests this matter be set for hearing forthwith.

11. That he respectfully requests that the fee for reopening this case be waived.

**WHEREFORE**, he respectfully prays that his estate and case be reopened for the aforesaid purpose and that he may have such other and further relief as the nature of his cause may require.

**EDWARD C. SCHIAVONI**

By/s/ Robert V. Roussos  
Of Counsel

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Notice and Motion to Reopen Estate was mailed this 30<sup>th</sup> day of December, 2011 to all creditors and parties in interest and to:

Tom C. Smith, Jr., Trustee  
P.O. Box 1506  
Virginia Beach, VA 23451

Mr. Edward C. Schiavoni  
3611 Sea Pines Road  
Virginia Beach, VA 23451

/s/ Robert V. Roussos  
Robert V. Roussos

AT&T Universal  
P.O. Box 182564  
Columbus, OH 43218

Home Depot  
P.O. Box 6029  
The Lakes, NV 88901

Bank of America  
P.O. Box 15019  
Wilmington, DE 19886

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Barclays Bank  
LLBean Visa Card Services  
P.O. Box 8802  
Wilmington, DE 19899-8802

Lowes  
P.O. Box 530914  
Atlanta, GA 30353

BP  
P.O. Box 15296  
Wilmington, DE 19850-5298

Lowes  
P.O. Box 530970  
Atlanta, GA 30353

Capital One  
P.O. Box 71083  
Charlotte, NC 28272

Office Depot  
Dept 56-8402321285  
P.O. Box 689020  
Des Moines, IA 50368

Chase  
P.O. Box 15298  
Wilmington, DE 19850-5298

Shell Credit Card  
P.O. Box 183018  
Columbus, OH 43218

Chase Bank  
P.O. Box 15298  
Wilmington, DE 19850

Wells Fargo Bank  
P.O. Box 348750  
Sacramento, CA 95834

Chase Bank  
P.O. Box 15153  
Wilmington, DE 19886

CitiMortgage  
P.O. Box 689196  
Des Moines, IA 50368